



CITY OF
ISSAQUAH
DEVELOPMENT SERVICES

**CITY OF ISSAQUAH
DEVELOPMENT SERVICES DEPARTMENT
ADMINISTRATIVE REVIEW**

NOTICE OF DECISION

TO: James Thompson
35 Front Street South
Issaquah, WA. 98027

PROJECT: Riverfront Duplex

APPLICATIONS: Shoreline Substantial Development Permit - SHO16-00001
Administrative Adjustment of Standards - AAS16-00001
Plat Alteration - PA16-00001
Administrative Site Development Permit - ASDP16-00001

DATE OF DECISION: October 13, 2016

LOCATION: 321, 323 3rd Pl NW, King County Parcel # - 2824069386

PROJECT DESCRIPTION:

Proposal is to construct one residential duplex on an undeveloped 18,571 SF parcel (Lot 1) adjacent to Issaquah Creek. The 100-foot Issaquah Creek stream buffer would be reduced to 75 feet with enhancement planting of the reduced buffer area. A 15-foot building setback from the buffer would apply, so the duplex would be 90 feet from the ordinary high water mark (OHWM) of Issaquah Creek.

The proposed duplex requires a Shoreline Substantial Development Permit (SHO16-00001) because the proposal is within 200 feet of the OHWM of Issaquah Creek. An Administrative Site Development Permit (ASDP16-00001) is required for design review of the proposed duplex.

The proposal also includes constructing a new garage on Lot 2 (9,047 SF) for an existing single family residence.

The applicant proposes to reduce building setbacks (AAS16-00001) from property lines as follows:

- 1) Reduce the northern side yard for the duplex on Lot 1 from 7 to 0 feet. This would allow the proposed duplex on Lot 1 to be adjacent to the shared driveway with the existing single family residence on Lot 2.
- 2) Reduce the western rear yard setback for the proposed garage on Lot 2 from 20 feet to 7 feet.

The applicant originally proposed an AAS for a setback reduction for the proposed duplex on Lot 1, reducing the rear yard setback along the west boundary of the site from 20 to 15 feet. The applicant later revised plans to meet the 20 foot rear setback for the duplex on Lot 1.

The proposal also includes a plat alteration (PA16-00001) because the current recorded short plat limits development on Lot 1 to one single-family home. The underlying zoning, Multifamily Medium (MF-M), and the Shoreline Master Program (SMP) allow duplexes.

BACKGROUND:

The proposal was previously approved on July 7, 2004. The approved permits included a Short Plat Subdivision (PLN03-00013) which created Lots 1 and 2, a Shoreline Substantial Development Permit (PLN03-00014), and an Administrative Adjustment of Standards (PLN04-00020). The approved Administrative Adjustment of Standards included the same reductions to building setbacks as proposed in the current application. However, permit decisions are valid for 3 years from the date of approval (IMC 18.04.220.D.1) and the previous applications expired. The only difference between the previous proposal and the current proposal is the applicant now proposes to construct a residential duplex on Lot 1, where the previous proposal was for one single family residence on Lot 1.

DECISION MADE: Approval of this application is based on application materials and listed as Exhibits 1 through 6 at the back of this report.

On October 13, 2016, the Development Services Department conditionally approved the applicable permits for the above proposal, subject to the following conditions:

1. The Critical Area Regulations require a minimum planting density in the reduced stream buffer area to ensure successful establishment of a functioning native plant buffer. The code requires a planting density of 10 feet on-center spacing for trees and 5 feet on-center spacing for shrubs. The planting density is to determine the overall number of plants. The plantings shall be grouped in clumps to provide a natural riparian plant community. The applicant shall revise the landscape plan for the reduced stream buffer area to demonstrate the planting would meet the required planting density. The landscape plan shall be approved by DSD prior to issuing a building permit.
2. The applicant shall complete installation of the stream buffer enhancement planting prior to final approval of the building permit.
3. The applicant shall provide a 5-year monitoring/maintenance bond equal to 50% of the cost and labor of plants and monitoring/maintenance costs. The bond shall be submitted to Development Services Department after installation of the stream buffer enhancement planting and prior to final approval of the building permit.
4. The building height shall meet the height standards of the Shoreline Master Program (35 feet to the peak of the roof) or the building height in the Issaquah Land Use Code (30 feet to the mid-point of the roof), whichever height measurement is more restrictive. The building height shall be reviewed and approved with a building permit application.
5. Impact fees are required to be paid at the time the Building Permit is issued.
6. The following conditions shall apply to recording of the plat alteration.
 - 1) The plat alteration shall be shown on mylars and provided to the Development Services Department for signature. The mylars shall be signed and notarized by the property owners prior to submitting to the City.

- 2) The mylars shall be recorded with the King County Department of Records and Elections with all necessary signatures on the mylars.
- 3) A copy of the recorded mylars shall be provided to the Development Services Department within ten (10) days of recording with King County.
- 4) A copy of the electronic files of the recorded plat alteration shall be provided to the Development Services Department within ten (10) days of recording with King County.

REASONS FOR DECISION:

1. **Permit Review Process:** All the applicable permits for the proposal require a Level 2 review per IMC Table 18.04.100-1. A Level 2 review is an administrative permit decision and requires notice to adjacent property owners within 300 feet of the proposal and to parties of record. A Notice of Application and Notice of a Shoreline Public Meeting was sent on March 24, 2016 (Exhibit 4). The Shoreline Substantial Development Permit and Shoreline Public Meeting also required legal notice in the local newspaper (IMC18.04.180.B4). The legal notice was published March 24, 2016 (Exhibit 5). A Public Shoreline Meeting before the City's River & Streams Board was held on April 5, 2016. A copy of the meeting minutes from the Public Shoreline Meeting is included as Exhibit 6.

The project applications and plans were routed to all City reviewing departments and their comments and concerns have been addressed in this Notice of Decision.

2. **SEPA Environmental Review:** A new SEPA review is not required for the current proposal. The proposal previously went through SEPA environmental review because the subject parcel is located adjacent to Issaquah Creek and the SEPA categorical exemptions for short plats and less than 4 residential units do not apply where a project is located within an environmental critical area (IMC 18.10.300.A). A Mitigated Determination of Nonsignificance (MDNS) was issued on December 17, 2003. SEPA Rules require a jurisdiction to use existing, previous SEPA environmental documents unless there are substantial changes to a proposal that would result in new significant adverse environmental impacts. The only difference in the current proposal is a residential duplex is proposed on Lot 1 instead of a single family residence. The proposed duplex is roughly the same size and bulk as a single family home and would not result in new impacts. The previous proposal also proposed a reduction in the stream buffer from 100 to 75 feet. There would be no new significant adverse impacts and therefore the previous SEPA review adequately covers the current proposal.

3. **Shoreline Master Program (SMP) – Shoreline Substantial Development Permit (SHO16-00001):**

A Shoreline Substantial Development Permit is required because the proposed residential duplex is located with 200 feet of the ordinary high water mark (OHWM) of Issaquah Creek. A Shoreline Substantial Development Permit is required because a 2-unit residential duplex doesn't meet the State's limited exemptions under WAC 173-27-040.

The subject site is located in the *Issaquah Creek Shoreline Residential* Shoreline Environment designation. Duplexes are considered a multi-family residential use; multi-family residential uses are an allowed permitted use in the *Issaquah Creek Shoreline Residential* designation, per the Use and Standards Table in SMP Section 4.5.

The following SMP policies and regulations apply to the current proposal:

7.2 Residential Use and Development

7.2.1 Policies

2. *Residential development should be designed to preserve existing shoreline vegetation, control erosion, protect water quality using best management practices, and to utilize low impact development techniques where appropriate.*
4. *New residential development should provide adequate building setbacks and natural vegetated buffers to protect and restore ecological functions and processes, to preserve views, and to minimize use conflicts.*
7. *Residential development should at a minimum achieve no net loss of ecological functions necessary to sustain shoreline natural resources, even for developments that do not require a Shoreline Substantial Development Permit.*

Findings:

The proposal would reduce the 100-foot stream buffer to 75 feet and would fully enhance the reduced buffer area with native plant species, which would improve ecological functions over the existing conditions and result in no net loss of ecological functions. The proposed stream buffer reduction to 75 feet is consistent with IMC 18.10.790D.4. The code requires a minimum planting density in the reduced stream buffer area of 10 feet on-center spacing for trees and 5 feet for shrubs. This is to determine the overall number of plants. The plantings shall be grouped in clumps to provide a natural riparian plant community. The enhancement planting will also require performance standards to ensure successful establishment and a 5-year monitoring-maintenance bond. The applicant shall submit a revised landscape plan showing the required planting density, prior to issuance of construction permits. The 5-year monitoring-maintenance bond shall be required after approval of the installed enhancement planting and prior to final construction permit approval.

7.2.2 Use Regulations

1. *All residential use and development shall comply with the standards included in Table 2 in Chapter 4.*
6. *New residential development, including all accessory structures shall be prohibited in, on, or over water or within floodways.*
7. *As mandated by the RCW 90.58.320, no shoreline permit may be issued for any new or expanded building or structure of more than thirty five (35) feet above average grade level on shorelines, except where overriding considerations of the public interest will be served. A variance shall be required for exceptions to the height standards.*

Findings:

The proposal complies with all development standards in Table 2 – Development Standards for Shoreline Environments.

The subject site is outside the floodway and 100-year floodplain of Issaquah Creek.

The building elevation plans do not address the maximum 30-foot building height to the peak of the roof. A condition requires this to be evaluated with the building permit application.

Shoreline Buffers and Setbacks

11. *Issaquah Creek/ East Fork Issaquah Creek Buffer – In accordance with Section 5.6.2 of this Program, a 100-foot wide vegetated shoreline buffer and 15-foot building setback shall be required to protect the creeks from adverse effects of development.*

Findings:

The Critical Area Regulations are adopted as Appendix A of the Shoreline Master Program (SMP). IMC 18.10.790D.4. allows a 25% stream buffer reduction with vegetation enhancement of the reduced buffer area. The proposal would reduce the 100-foot stream buffer to 75 feet with planting enhancement of the reduced buffer area, consistent with the code provision.

4. Administrative Adjustment of Standards (AAS16-00001):

The applicant proposes to reduce building setbacks (AAS16-00001) from property lines as follows:

- 1) Reduce the northern side yard on Lot 1 from 7 to 0 feet. This would allow the proposed duplex on Lot 1 to be adjacent to the shared driveway with Lot 2.
- 2) Reduce the western rear yard setback on Lot 2 from 20 feet to 7 feet for the proposed garage.

Administrative Adjustment of Standards - 18.07.260 Purpose:

The purpose and intent of administrative adjustment of development standards is to provide the flexibility to modify standards in all zoning districts at the administrative level. Approval must be based on a determination that the adjustment is consistent with the purpose and intent of this Code and of the development standards. This provision requires a Level 2 Review (Chapter 18.04 IMC) regardless of street frontage or parcel size, with public notification to adjacent property owners.

Finding: A Notice of Application, including notice of the AAS was sent on March 24, 2016 (Exhibit 4).

Administrative Adjustment of Standards - 18.07.330 Setbacks:

18.07.330(A): Purpose for Setbacks:

The purpose of permitting the Administrative Adjustment of setback standards is to provide for flexibility in reducing or modifying setbacks in all zoning districts, without permitting a setback adjustment that would negatively impact the surrounding neighborhood. An adjustment to a setback may be approved based on a determination by the DSD Director/Manager that the adjustment is consistent with the purpose of this Code, the intent and purposes of the setback standards, and will accomplish one (1) or more of the following objectives:

- 1) *Allow buildings to be sited in a manner which maximizes solar access;*
- 2) *Allow zero lot line, semidetached (common wall construction) or other types of cluster development in conformance with the provisions of this Code;*
- 3) *Coordinate development with adjacent land uses and the physical features of the site;*
- 4) *Permit flexibility in the design and placement of structures and other site improvements;*
- 5) *Allow development consistent with the scale and character of the existing neighborhood;*
- 6) *Provide flexibility for a site which has one (1) or more of the following constraints:*
 - a. *Existing development which was permitted or platted under previous land use regulations; or*
 - b. *A vacant site which had development approval or was platted under previous land use regulations; or*
 - c. *Physical features of the site which prevent development that is compatible and consistent with the character and scale of the surrounding area, such as the unique site constraints in the older part of the city; of the building to be adjusted on the lot for retention of existing significant trees.*

Findings:

The applicant proposes to reduce the northern side yard on Lot 1 from 7 to 0 feet. This would allow the proposed duplex on Lot 1 to be adjacent to the shared driveway with the existing single family residence on Lot 2, providing a single consolidated driveway access instead of an additional, redundant driveway off 3rd Pl NW. The reduced setback would also allow the duplex to be sited further from the stream buffer. The proposal complies with the criteria to “permit flexibility in the design and placement of structures.”

4. 18.07.330 (B): Approval Criteria:

These setback standards are applicable in a residential, commercial, industrial or mixed use development, unless otherwise provided. These standards are not applicable to the Mineral Resource Zone. Setback standards for the Mineral Resource Zone are provided at IMC 18.07.525. These standards may be adjusted administratively through the approval of all the following criteria, in addition to the approval criteria for Level 2 Review:

- (1) *Compatibility: The adjustment of setbacks is compatible in scale and character with existing neighboring land uses; and*

Finding: The proposed reduction to setback standards is consistent with the scale and character of the existing neighborhood. More than one-half of the homes on 3rd Place NW and NW Cherry St have substandard setbacks. The proposal would reduce the rear yard setback from 20 to 7 feet for a new a garage for the existing single family residence on Lot 2. The proposed garage would replace an existing shed which is also located 7 feet from the property line. Therefore, the proposal would not increase the existing non-conforming setback.

- (2) *Consistency: The proposed development meets all other development and design standards as governed by the District Standards Table and the Design Criteria Checklist, unless those standards are modified through approved:*
- a. *Cluster provisions; or*
 - b. *An Administrative Adjustment of Standards; and*

Finding: The proposal would meet all other development and design standards. The proposal is also under review for an Administrative Site Development Permit (ASDP16-00001), which will further review the proposal for compliance with applicable development and design standards.

- (3) *Consistency with Zoning District: The adjustment of setbacks shall provide consistency with the intent and character of the zoning district involved; and*

Finding: The proposed reductions in building setbacks is consistent with the intent and character of the zoning district. The underlying zoning is Multi-Family Medium (MF-M) and the required setbacks are intended for multi-family structures. The proposal is for a new duplex and a garage for a single family residence. These uses and structures are smaller and reduced in scale in comparison to multi-family development and therefore the adjustment is consistent with the intent of the zoning district.

- (4) *Impacts:*
- a. *Adjacent Property Owner(s): The adjustment of setbacks does not negatively impact the adjacent property owners;*

Finding: The proposal would not negatively impact adjacent property owners. The proposed garage would replace an existing shed that is also located 7 feet from the property line and therefore would not increase the existing non-conforming setback. The proposed reduction would apply only to the 25-foot garage; the rear setback for the existing single family home is between 31 and 37 feet and therefore the average building setback on Lot 2 would be approximately 21 feet, meeting the 20 foot setback for the

total, overall structures on the lot. The applicant provided a sun-shadow analysis demonstrating that the reduced setback for the proposed garage and would have little or no impact in terms of shading the adjacent condominium property to the west.

The other proposed AAS is to reduce the northern side yard on Lot 1 from 7 to 0 feet. This would allow the proposed duplex on Lot 1 to be adjacent to the shared driveway with Lot 2. This setback reduction is internal to the site and would not affect setbacks to adjacent properties.

- b. *Critical Areas: The adjustment of standards is consistent with the purpose and intent of the critical area regulations, and does not negatively impact any adjacent critical areas;*

Finding: The proposed adjustment of standards is not to reduce critical area buffers or the building setback from the buffer. The applicant is proposing to reduce the stream buffer on Lot 1 from 100 feet to 75 feet; consistent with the Critical Area Regulations (IMC 18.10.790.D.4) which allows for reducing stream buffers when the reduced buffer area is enhanced with native plant species. The stream buffer reduction doesn't require an AAS and the proposed AAS's would not impact adjacent critical areas.

- c. *Public Services: The adjustment of setbacks does not negatively impact public services, including emergency access, access to right-of-way, dedicated tracts, or easements; and*

Finding: The proposed reduction in setbacks would not negatively impact public services, emergency access, or access to right-of-way.

- d. *Structure(s): Any structure(s) which is within the proposed setback modification area does not negatively impact the adjacent property through incompatible height, bulk, design, color or other feature; and*

Finding: The proposed garage, associated with the existing single family residence on Lot 2, would be located 7 feet from the adjacent property line. The garage is a single-story structure with a maximum height of 28 feet to the roof peak, and designed with a steeply-pitched (12/12) roof to match the architecture of the existing single family home. The garage design, height and building materials are a scale and bulk for a single family use and therefore would be compatible and would not negatively impact the adjacent property. The applicant provided a sun-shadow analysis indicating the reduced setback for the proposed garage and would have little or no impact in terms of shading the adjacent condominium property to the west.

The bulk, height, and design of the duplex will be also reviewed under an ASDP permit to ensure compatibility with neighboring properties.

- (5) *Intent: The adjustment of standards will be equal to or superior in fulfilling the intent and purpose of the original requirements; and*

Finding: The purpose of building setbacks is to provide for light, air, emergency access, and separation from adjoining lots. The underlying zoning is Multi-Family Medium (MF-M) and the code-required setbacks are intended to provide for light, air and separation for multi-family structures. The proposed adjustment of standards is for a new garage associated with a single family residence. The single family residence and garage structure are smaller and reduced in scale in comparison to the multi-family development that the code setbacks are intended for. Therefore, the reduced building setback would still fulfill the intent and purpose of the setback requirement.

- (6) *Impervious Surface Ratio: The required impervious surface area for the property is not exceeded; and*

Finding: The allowed impervious surface area in the Multi-Family Medium (MF-M) zone is 50%. The impervious surface area on Lot 1 (to be developed with a new duplex) would be 18%, largely because of the pervious stream buffer area on the parcel. The impervious area on Lot 2, with the proposed new garage, would be 50%, meeting the code standard.

5. The Administrative Adjustment of Standards (AAS) is exempt from review under the State Environmental Policy Act (SEPA). An AAS is an administrative variance and variances are exempt from SEPA review as a minor land use decision, per WAC 197-11-800(6)(b).

5. Plat Alteration - PA16-00001:

Lots 1 and 2 were created as part of a short plat (PLN03-00013) approved by the City of Issaquah on July 7, 2004. The SEPA Determination and the short plat decision required a note on the face of the recorded short plat limiting development on Lot 1 to one single family residence. The applicant proposes a short plat alteration to revise Sheet 1, Note 3 of the short plat to eliminate the provision which reads: *3. Lot 1 of this Short Plat is limited to development of one single-family residence.*

The Land Use Code includes the following criteria for a minor modification to an approved short plat.

18.13.410 Modifications.

A. Modifications to short plats after approval shall require a new short plat application pursuant to this chapter unless such modifications constitute minor modifications meeting all of the following criteria:

1. *The modification complies with all of the requirements of this chapter; and*

Finding: Complies. Lot 1 is zoned Multi-Family Medium (MF-M) which allows duplexes with an Administrative Site Development Permit (ASDP). The subject application includes an ASDP application for the duplex. The Shoreline Master Program (SMP) designation is *Issaquah Creek Shoreline Residential* and duplexes and multi-family development are permitted uses. The proposed duplex would comply with all development standards of the MF-M zone including the minimum lot size, building setbacks, impervious surface coverage and building height.

2. *The modification does not involve the alteration or vacation of City easements, roads, or City-owned lands; and*

Finding: Complies. No alteration or vacation of easements, roads, or City-owned land is proposed.

3. *The Planning Director/Manager determines that there will not be substantial changes in the impacts on the neighborhood or the City as a result of the change; and*

Finding: Complies. There would not be substantial changes in impacts to the neighborhood resulting from the change. The proposed duplex is similar in size and bulk to a single family home and is designed to look like a 2-story single family home. Adjacent properties to the west and north are currently developed with higher density, more intensive multi-family uses than the proposed duplex.

4. *The modification will not increase the number of lots; and*

Finding: Complies. The proposal would not increase the number of lots.

5. *The modification will not significantly alter any condition of approval.*

Finding: Complies. The proposal is to modify a condition of approval, limiting development on Lot 1 to a single family residence. However, duplexes are allowed by the MF-M zoning and Shoreline Master Program (SMP) and therefore the proposal is not a significant alteration to the conditions of approval.

- B. The consideration of the minor modification shall be made upon written request to the Planning Department. The Planning Director/Manager's decision will be the final decision of the City unless appealed in accordance with IMC Table 18.04.250-2: Table of Level 0 through 6 Review Appeals.*

Finding: Complies. The applicant applied for a short plat alteration.

- C. If a minor modification is approved after recording, the revised plat map shall meet the standards specified in WAC 332-130-050 regarding survey maps. (Ord. 2596 § 3 (Exh. B2), 2010).*

Finding: Will comply. The revised, recorded short plat map will meet the standards specified in WAC 332-130-050.

The following conditions apply to recording of the plat alteration.

1. The plat alteration shall be shown on mylars and provided to the Development Services Department for signature. The mylars shall be signed and notarized by the property owners prior to submitting to the City.
2. The mylars shall be recorded with the King County Department of Records and Elections with all necessary signatures on the mylars.
3. A copy of the recorded mylars shall be provided to the Development Services Department within ten (10) days of recording with King County.
4. A copy of the electronic files of the recorded plat alteration shall be provided to the Development Services Department within ten (10) days of recording with King County.

6. Administrative Site Development Permit - ASDP16-00001:

FINDINGS:

1. The property is zoned Multifamily - Medium (MF-M). Duplex dwellings, 2 residential units on a lot, are a permitted land use in this zone.
2. The site is zoned Multi-Family Medium (MF-M). Across the street, 3rd Pl NW, is single family residential zoning (Single Family Small Lot, SF-SL). To the west and northwest of the subject site is MF-M zoning currently with existing multifamily developments. The proposed duplex is designed to be compatible in size and appearance to a single family residence and therefore would provide a good transition between the single family neighborhood to the east and the multi-family developments to the west and northwest.
3. The subject site is zoned "MF-M" (Multi-Family Medium). The minimum lot size in this zone is 2,500 square feet and the subject lot (Lot 1) contains 18,571 square feet.
4. The subject property is currently undeveloped. Lot 1 was created under Short Plat # PLN03-00013 that was recorded with King County on November 25, 2008.
5. Lot 1 is adjacent to Issaquah Creek, a Class 1 "shoreline" stream. A 100-foot stream buffer plus a 15-foot building setback from the buffer is required. The proposal is to reduce the 100-foot stream buffer to 75 feet. The Critical Area Regulations (IMC 18.10.790D.4.) allows a 25% stream buffer

reduction, from 100 to 75 feet, with vegetation enhancement of the reduced buffer area. The code requires a minimum planting density in the reduced stream buffer area of 10 feet on-center spacing for trees and 5 feet for shrubs. A condition of approval requires buffer planting consistent with the code standard.

6. Vehicular access to the proposed duplex will be provided from an existing driveway off 3rd Pl NW and the driveway access would be shared with the existing single family residence on Lot 2 to the north. The shared access driveway coordinates the access and appearance of the proposed duplex with the adjacent single family residence.
7. City utilities: water, sewer and stormwater are available off 3rd Pl NW to serve the proposed duplex.
8. Impact fees are required to be paid at the time the Building Permit is issued.
9. The development standards for the zoning of the property, "MF-M" (Multi-Family – Medium) is shown below, (District Standards Table of the Land Use Code—IMC 18.07.360):

STANDARDS	REQUIRED OR ALLOWED	PROPOSED
DENSITY:	14.52 dwellings/acre.	2 dwelling units on 18,571 SF lot – density of 4.69 dwelling units/acre
LOT AREA:	Minimum: 2,500 sq. ft.	18,571 square feet
FRONT SETBACK (east):	10 feet	10 feet
REAR SETBACK (west):	20 feet	20 feet
SIDE SETBACK (north and south yards):	7 feet	0*
IMPERVIOUS AREA:	50% maximum	3,431 SF – 18%
PERVIOUS AREA:	50% minimum	15,140 SF – 82%
PARKING:	4 parking stalls (2 per dwelling unit)	4 parking stalls: each duplex has a 1-car garage and tandem driveway parking
BUILDING HEIGHT:	40 feet base height	30 feet

*Administrative Adjustment of Standards (AAS) proposed to reduce the northern side yard for the duplex on Lot 1 from 7 to 0 feet.

Design Standards/Design Criteria Checklist – Appendix 2 of IMC 18.07 – Required Development and Design Standards

New duplexes are required to be reviewed for compliance with the Design Criteria Checklist (adopted by Ordinance No. 1983). The project meets the criteria of the Design Criteria of Appendix 2, of the Land Use Code as follows:

A. Site Layout & Overall Design Concepts:

1. *Building Location:* The location of the duplex on the lot is predicated on meeting the stream buffer and setback standards. The proposed duplex would be located to share a single driveway access with the existing single family residence on Lot 2.
2. *Energy Efficient Design:* The duplex will be required to meet Washington State Energy Code requirements with the construction permits.
3. *Functional Site Design:* The design and layout of the duplex would provide a functional site design. The duplex as arranged on the property would have a low intensity appearance and would fit with the character of the neighborhood.
4. *Lighting:* No special exterior lighting for the project is proposed outside of 12 watt porch and garage lights.
5. *Natural Setting – Views:* No views of the City's natural setting would be compromised with the project.
6. *Existing Vegetation/Topography Features:* The proposed duplex is adjacent to Issaquah Creek and the applicant will be required to enhance the stream buffer with native tree and shrub species, to respect the natural setting and protect ecological functions of the creek.
7. *Historical/Cultural Landmarks:* Not applicable.

Finding: Proposal complies with above criteria.

B. Landscape Design and Use of Plant Materials:

1. *Design Elements:* The proposed site plan includes landscaping around the proposed duplex; with a combination of native and ornamental plant species.

The tree density requirements of chapter 18.12.1370 of the landscaping code require that multifamily development provide 4 significant trees per 5,000 sq. ft. The required stream buffer planting would far exceed the minimum tree density requirement.
2. *Design Unity:* The landscape design provides design unity in the plant selection and includes lawn in the front yard adjacent to the street to be compatible with the neighborhood appearance.
3. *Enhanced Design:* The new landscaping proposed for the project works well to strengthen the important focal points of the site. A majority of the yards will be maintained in lawn, similar with neighboring properties.

4. *Usable Open Space Design:* The proposed site plan includes ample usable open space in the setback areas and separate decks in the back yard for each duplex unit.
5. *Plant Materials:* The proposed site plan includes landscaping around the proposed duplex with an adequate combination of native and ornamental plant species.

Finding: Proposal complies with above criteria.

C) Design Harmony & Compatibility:

1. *Accessory Structures:* No accessory structures are proposed.
2. *Building Materials/Components:* The duplex building materials have been selected to appear like a single family home, to be consistent with the residential neighborhood; with a traditional style of architecture and building materials including horizontal siding and asphalt shingle roofing.
3. *Compatibility:* The duplex has been designed to look like a single family home and the design incorporates materials and colors consistent with the adjacent 1930's house and compatible with houses in the neighborhood.
4. *Design Components:* The duplex includes specific design components, including; building modulation, a front trellis, period-style architectural eve supports and trim and lapped siding.
5. *Signage:* Not applicable. The only signage will be individual address signs for the 2 dwelling units.
6. *Transition:* The duplex will provide a good transition to adjoining land uses. The neighborhood is a mix of both single family and multifamily development. Across the street, 3rd Pl NW, is single family residential zoning (Single-Family Small Lot, SF-SL). To the west and northwest of the subject site is MF-M zoning currently with existing multifamily developments. The proposed duplex is designed to be compatible in size and appearance to a single family residence and therefore would provide a good transition between the single family neighborhood to the east and the multi-family developments to the west and northwest.
7. *Projects with Multiple Structures:* The project includes just a single duplex building for a total of 2 dwelling units. No accessory structures are proposed.

Finding: Proposal complies with above criteria.

D) Pedestrian and Vehicular Areas:

1. *Barrier-Free:* The location of a handicap access ramp to accessible parking is not applicable to the duplex.
2. *Circulation/Trail Access:* Trail access is not applicable to the project.

3. *Design – Parking Areas:* The project provides 4 on-site parking stalls (2 stalls in each garage and 2 tandem parking stalls in the driveway). Tandem parking is allowed for duplexes.
4. *Public Access – Adjacent to Site:* The main public access is along NW Dogwood Street and there are presently no public sidewalks along this low volume traffic street.
5. *Public Access – Within Site:* There is no public access into the site.
6. *Trail Design:* Not applicable.
7. *Transition of Design Elements and Amenities:* The proposed duplex would provide a desirable transition in relation to the adjoining and permitted land uses in the neighborhood; a combination of single family and multifamily development. The scale and architectural design of the duplex would blend in with the neighborhood.

Finding: Proposal complies with above criteria.

E) Service and Storage Areas:

1. *Screening – Service Yards and Outdoor Storage:* There is no service yard or storage yard with the project. Individual garbage cans/recycling bins will be provided to the dwelling units for garbage and recycling within the garages.
2. *Screening – Mechanical Equipment:* Not applicable.
3. *Screening – Display Areas:* Not applicable.

Finding: Proposal complies with above criteria.

F) CPTED (Crime Prevention through Environmental Design):

The walkways and landscaping will direct visitors to the proper entrances to the dwelling units. The proposed landscaping is not so dense to impact viewing to and from the dwelling units.

Finding: Proposal complies with above criteria.

Additional Approval Criteria for Multifamily and Duplex Developments: IMC 18.07.440:

1. Access and Circulation:
 - a. Motorized: The proposed duplex would share a driveway access with the existing single family residence to the north, which will provide a consolidated, coordinated appearance. Vehicle access is from 3rd Place NW via NW Dogwood Street.
 - b. Nonmotorized: Pedestrian walkways on site are not required for this duplex development. The short plat for the project, file PLN03-00013, did not require a frontage sidewalk along 3rd

PI NW as part of the street improvements because it would not connect to other sidewalks and the street is a dead-end with no future City plans for sidewalks. It is further noted that the street has a low traffic volume and that the graveled shoulder is wide along the street for pedestrians.

2. Building Modulation:

The duplex has been designed to provide facade modulation, roof variation, windows & doors, decks and porches and building materials including horizontal lap siding. The proposed duplex is designed to appear like a single family residence, compatible with the neighborhood.

3. Duplex and Townhouse Standards in Single Family Neighborhoods:

The duplex is located in a residential neighborhood that is currently a mix of single family and larger multifamily dwellings. The architecture of the duplex is designed to be compatible with the residential character of the neighborhood. The duplex is 2 stories in height with a pitched roof.

4. Parking:

Proposed parking is in compliance with standards for multifamily developments as established in the Table of Off-Street Parking Standards, IMC 18.09.050. Each dwelling unit requires 2 parking spaces and 2 parking spaces in garages have been provided (1 for each dwelling unit) plus one tandem parking stall in front of the garages within the driveway for each dwelling unit.

5. Private or Common Useable Outdoor Space:

Private or common usable outdoor space is required to provide an amenity to the residents of the development. The usable space may be provided on an individual or community basis. The applicant has chosen private outdoor space in the form of private decks. The minimum outdoor space per unit is 48 square feet and the proposal exceeds the minimum requirements as follows:

- Unit one (1st floor, facing south): Deck - 130 square feet.
- Unit two (1st floor, facing south): Deck - 112 square feet.

Shared outdoor space is also being provided in the backyard, the stream buffer area will be planted and provide open space for passive use.

6. Roofline Variation:

The elevation drawings show varied rooflines to break up the overall bulk and mass of the duplex. The front of the building has a separate, lower height covered porch and entry. The rear elevation of the building is also broken up with varied rooflines and heights.

7. Screening - Parking and Structures:

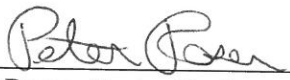
There are no parking structures, garages for the duplex are integrated into the house design. There is an existing 6-foot tall privacy fence along the west property boundary adjacent to the Oak Meadows condominiums. There have been concerns expressed from adjacent neighbors that the new duplex could block natural light and therefore no additional landscape screening, in addition to the existing fence, is proposed or required as a condition.

Time Limit of Approval:

The final decision approving this Land Use Permit is valid for three years as specified by IMC 18.04.220-C-5

APPEALS:

Appeals of any of the applicable permits must be filed with the Development Services Department Permit Center within 14 days of this notice of decision, by 5:00 PM on October 27, 2016.



Peter Rosen, Senior Environmental Planner

10/13/2016
Date

EXHIBIT LIST:

1. File and Applications: Shoreline Substantial Development Permit - SHO16-00001
Administrative Adjustment of Standards - AAS16-00001
Plat Alteration - PA16-00001
Administrative Site Development Permit - ASDP16-00001
2. Plans submitted December 30, 2015, revised plans submitted September 5, 27, and 28, 2016.
3. Project Narrative and application criteria submitted with application December 30, 2015, supplemental information to respond to comments on AAS submitted September 5, 2016
4. Notice of Application and Notice of a Shoreline Public Meeting to neighbors, sent on March 24, 2016
5. Shoreline Substantial Development Permit and Shoreline Public Meeting legal notice in the Issaquah Press, published March 24, 2016
6. Shoreline Public Meeting/River & Streams Board meeting minutes, April 5, 2015

